

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHWESTERN DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No. 07-03105-02-CR-S-DGK
	)	
RICKY P. HICKS,	)	
	)	
Defendant .	)	

**REPORT AND RECOMMENDATION OF  
THE UNITED STATES MAGISTRATE JUDGE**

On September 28, 2010, a psychiatric/psychological evaluation was ordered by the undersigned, pursuant to 18 U.S.C. § 4241. The evaluation was conducted at the Federal Medical Center, Lexington, Kentucky, and a psychological report was filed with the Court on January 3, 2011. The matter was called for a hearing. The defendant appeared in person and with counsel. There was no evidence presented, other than the report previously mentioned above. The mental health experts at the Federal Medical Center concluded:

“In my opinion, the defendant’s mental state is stable and is not expected to change. He is not currently prescribed any psychiatric medication and he does not present with any significant mental health concerns. It is the belief of this evaluator that he exaggerated his memory deficits during this evaluation. Moreover, he performed adequately during competency-related interviews, clearly displaying the capacity to understand the legal proceedings and to assist in his own defense. He is able to understand the legal proceedings, to make rational decisions regarding legal strategy, or to work with his attorney. No changes are anticipated in his capacity to understand the nature and potential consequences of the proceedings or to assist his attorney.”

It is therefore

RECOMMENDED that the defendant be declared competent to stand trial.

/s/ James C. England

**JAMES C. ENGLAND**  
**UNITED STATES MAGISTRATE JUDGE**

Date: February 16, 2011